



MAYOR ISSUES ADA PROCLAMATION

A Message From the Mayor

It was my pleasure earlier this year to present a proclamation establishing Americans with Disabilities Awareness (ADA) Day in the City of Birmingham on May 30. It was a Mayoral act that coincided with the City's first ADA Awareness Day in Linn Park that featured a showcase of services and products available to persons with disabilities. One of the primary goals, of the Mayor's Office on Americans with Disabilities and the ADA Citizens' Advisory Committee, is to raise



awareness by focusing on a person's abilities rather than their disabilities, while valuing the diversity and contributions of all people. I wish to commend Linda Coleman, ADA Compliance

Officer, and the ADA Advisory Committee, led by Graham Sisson, Chair, for a very successful event that we hope will be held annually in Birmingham.

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SPECIAL POINTS OF INTEREST:

- July 26, 2006 America celebrated 16 years since signing of the Americans with Disabilities Act.
- At least one member of every family has someone who is disabled.
- Many people with disabilities lead meaningful lives and contribute much to society.

REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT

The ADA signed into law in 1990 is the most comprehensive formation of rights for people with disabilities in this nation's history. More than 40 million people have some kind of disability.

Under Title II of the ADA, public entities are prohibited from discriminating against people in its programs, services, or activities on

the basis of disability. Title II falls into four broad areas: General Non-discrimination, Effective Communication, Programs Accessibility, and Employment.

Equal opportunity must be provided through reasonable modifications in policies, practices, or procedures. Effective Communication must be as assured through the provi-

sion of auxiliary aids and services. Programs must be accessible through non-structural programmatic modifications and nondiscriminatory Employment practices required.

The key to the success of Birmingham's ADA program is maintaining a positive attitude in our service delivery to our customers.

ADA GRIEVANCE PROCEDURES

The Grievance Procedure was established to meet the requirements of the Americans with Disabilities Act. The complaint should be in writing and contain information about the alleged discrimination: name, address, phone number of the complainant and location, date, and description of the problem.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon re-

quest. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Linda Coleman
ADA Compliance Officer
(205) 254-2079

If the response by **the ADA Compliance Officer** or her designee does not satisfactorily resolve the issue, the complainant may appeal the decision 15 days after receipt

and a hearing will be scheduled within 30 days after receipt with the **ADA Advisory Committee**. If after this process, there is no resolution the issue is referred to the **Mayor's Chief of Staff** or designee who will meet with the complainant to discuss possible resolutions.

All written complaints will be retained by the City of Birmingham for at least three years. For a full print of the procedures, please go to the city's web site.



Reasonable accommodation

Lowering a section of a counter.

'REQUEST FOR SERVICE' FORMS AVAILABLE

As a compliance requirement the Mayor's Office of the Americans with Disabilities has developed a "Request for Service" form to provide a format to accept citizens requests under the Americans with Disabilities Act. The City of Birmingham's **Request for Service Form A** is made available to all Departments and City agencies. Request forms should be completed and a copy sent to the ADA

office, City Hall 2nd floor, attention: Linda Coleman.

Staff should use this form if a citizen makes a request for an accommodation from their department. Every effort should be made to provide reasonable accommodations when requested, and if possible handled at the point of request. You may accommodate a request for large print by enlarging the document.

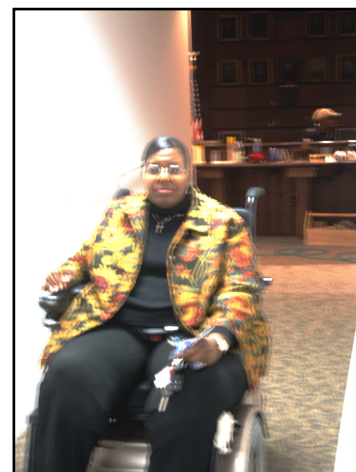
Depending upon the request, the City may require 48 hours prior notice. For example, request for an interpreter or materials in Braille. The employee should complete the "Request for Service" form and fax it to the ADA Office as soon as possible for processing. The form is also on the City's website where citizens may access them.



Reasonable accommodation allowing a person with a disability to bring their service animal inside public buildings.

ROLE MODEL FOR PERSONS WITH DISABILITIES

City Councilor Miriam D. Witherspoon was the only non-incumbent candidate for the City Council to win election without a runoff in 2005 to represent District 7 and shortly afterwards her Council colleagues chose her as Council Pro Tempore to preside over Council business in the absence of the Council President. An advocate for persons with disabilities, she empathizes with them because she lives their experience. She has relied on a wheelchair since an auto accident in 1988. She leads a very active life and is an example for all.



CITY EMPLOYEES BECOME TRAINERS

City employees attended a two day ADA "Train the Trainer" workshop at Legion Field June 26 and 27. Employees were challenged and provided tools and basic essentials of what is required for compliance with the Americans with Disabilities Act 1990.

Under an Agreement with the U.S. Department of Justice signed June 2005, the City is required to develop a two-

hour training program on ADA and appropriate ways of serving persons with disabilities. Facilitators developed a teaching module based on national requirements and in collaboration with the Southeast Disability and Business Technical Assistance Center. The ADA Compliance Officer consulted with the ADA Committee, professionals in the field, and persons with disabilities in developing the

training program module. The train-the-trainer program was developed to help insure that all employees are trained and to provide consistency and continuity in training. All trainers received a training packet with the presentation on a CD. Trainers were encouraged to be creative by adding components to their presentation to include specific information relative to their Department and ADA.



Graham Sisson, Instructor



REASONABLE ACCOMMODATIONS AND GOOD FAITH EFFORT

The 1992 Civil Rights Act provides that employees may avoid liability for damages if they make a good faith effort to provide reasonable accommodations to persons with disabilities. The law says the employer must, in consultation with the person with the disability who has informed the employer that accommodation is needed, demonstrate good faith efforts to identify and make reasonable

accommodation that would provide the individual with an equally effective opportunity. The employer is not required to make any accommodations that would cause an undue hardship on the operation of the business. ADA accommodation is on a case-by-case basis and one cannot assume that one size fits all who have the same or a similar disability. Because a person is blind does not mean

they need materials provided in Braille. Allow them to tell you their preference. All blind persons do not read Braille. By the same token, a request for accommodations on the job must be related to the person's primary duties. The person who cannot stand for long periods but their primary job involves clerical work at a desk (although disabled), would not fall under the ADA protection in this scenario.

Above City employees participate in Train the Trainer Workshop.

On the second day participants were asked to assume a disability for 3 hours to experience first hand what it is like to have that disability.

IMPROVING ACCESS TO CITY ACTIVITIES

The City of Birmingham is committed to making reasonable accommodations to insure that City owned facilities are accessible and that persons with disabilities have the opportunity to participate in and enjoy programs and activities offered. Currently there are a number of capital improvement projects

throughout Birmingham in an effort to make facilities more accessible. Features such as handicap parking spaces with signage for designated spaces, connecting walk paths to accommodate mobility, accessible restrooms, water fountains and concessions like the one shown at parks in Ensley are all exam-

ples of accessible features. City employees are working to make programmatic modifications in an effort to address requirements of the ADA.



Central Park



Ensley Park

We are on the web!

**OFFICE OF THE AMERICAN
WITH DISABILITIES**

How to contact us:

Phone: 205-254-2079

Fax: 205-254-2525

E-mail: lfcolem@ci.birmingham.al.us

www.informationbirmingham.com

The ADA committee meets every

Second Friday at 11:30 AM

2nd Floor



ADA Advisory Committee

- ◆ Chair– Graham Sisson, ADA State Coordinator
- ◆ Vice Chair– Charles Priest, Dir., Alabama Head Injury
- ◆ Secretary– Roseland Lewis, Disabilities Supervisor (Social Security)

- ◆ Dan Kessler, Director, Birmingham Independent Living Center (BILC)
- ◆ Alice Hebert– National Federation of the Blind
- ◆ Charles Cowan– Community Outreach, Independent Living Center (BILC)
- ◆ Gwendolyn Robinson– Senior Citizen Volunteer
- ◆ John Meehan– Neighborhood Leader
- ◆ Larie-Ross Hunter– Network Administrator (BILC)
- ◆ Ron Talley– Manager, ASSISTECH Group
- ◆ Marva Douglas– Retired (Bell South) Marketing
- ◆ Paralee Britt– Nurse, Jefferson County Health Dept.
- ◆ Angelo Cope– Educator, Samford University

WHY THE NEED FOR AN ADA ADVISORY COMMITTEE?

Public Involvement is vitally important in every aspect dealing with a publicly funded entity. Public involvement is equally important in determining how to best meet and serve persons with disabilities, especially those who are disabled themselves.

Through the Mayor's

Office, the City of Birmingham has established the Americans with Disabilities Advisory Committee. Graham Sisson, Chairman, is physically disabled but is a successful attorney and employed with the State of Alabama Vocational Rehabilitation. The mission is to assist the City of

Birmingham in improving access to programs, services and facilities and to increase public awareness of disability issues.

Part of the committee's responsibility is to hear grievances and make recommendations on how the city may resolve

Day in the month at 11:30 AM, second floor City Hall in the Office of the Americans with Disabilities. Stay tuned for more public activities that will be sponsored by the Mayor's ADA Advisory Committee.

